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Counter-Plaintiff TYPO PRODUCTS LLC

8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA**

10
11 BLACKBERRY LIMITED, a Canadian
corporation,

12 Plaintiff,

13 v.

14 TYPO PRODUCTS LLC, a Nevada limited
15 liability company,

16 Defendant.

17
18 TYPO PRODUCTS LLC, a Nevada limited
liability company,

19 Counter-Plaintiff,

20 v.

21 BLACKBERRY LIMITED, a Canadian
22 corporation,

CASE NO. 3:14-cv-00023 WHO

**STIPULATION & [PROPOSED] ORDER TO
SHORTEN TIME RE TYPO'S MOTION TO
STAY AND SUSPEND THE MARCH 28, 2014
PRELIMINARY INJUNCTION PENDING
APPEAL OR, ALTERNATIVELY,
PENDING DECISION BY FEDERAL
CIRCUIT ON STAY PENDING APPEAL**

Pursuant to Civil Local Rules 6-1(b) and 6-2, Plaintiff BlackBerry Limited (“BlackBerry”) and Defendant Typo Products, LLC (“Typo”), by and through their respective counsel, hereby stipulate and respectfully request that the Court shorten the time for briefing on Typo’s Motion To Stay And Suspend The March 28, 2014 Preliminary Injunction Pending Appeal Or, Alternatively, Pending Decision By Federal Circuit On Stay Pending Appeal (“Motion”).

The parties declare in support of this request:

WHEREAS, Typo filed the Motion on March 31, 2014;

WHEREAS, under a traditional briefing schedule, BlackBerry would receive 14 days to file an opposition and then Typo would get another 7 days to file its reply, followed by a hearing;

WHEREAS, Typo contends that, in light of the Court’s March 28, 2014 Order Granting BlackBerry’s Motion for a Preliminary Injunction, it will suffer irreparable harm if the Motion proceeds on a traditional briefing and hearing schedule;

WHEREAS, Typo and BlackBerry have agreed to shorten the briefing and hearing schedule for the Motion, specifically that BlackBerry shall file its opposition to the Motion on or before April 4, 2014, that Typo shall not file a reply to BlackBerry’s opposition, and to ask that the Court hear the Motion on April 9, 2014 along with the Motion to Dismiss and Case Management Conference in this matter already set for hearing that day; and

WHEREAS, the stipulated shortening of the briefing and hearing schedule for the Motion will not alter the date of any event or any deadline already fixed by the Court.

THEREFORE, pursuant to Civil Local Rules 6-1(b) and 6-2, the parties through their respective counsel of record, stipulate as follows:

1. BlackBerry shall file its opposition to the Motion on or before April 4, 2014;
2. Typo shall not file a reply to BlackBerry’s opposition; and
3. The parties respectfully request that the Court hear the Motion on April 9, 2014 along with the Motion to Dismiss and Case Management Conference in this matter already set for hearing that day.

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1 **IT IS SO STIPULATED AND AGREED.**

2 Dated: April 1, 2014

Respectfully submitted:

3 **THE TAILLIEU LAW FIRM LLP**

4 OLIVIER A. TAILLIEU

RAFFI V. ZEROUNIAN

5 By: /s/ Olivier A. Taillieu

Attorneys for Defendant and Counter-Plaintiff

6 TYPO PRODUCTS LLC

7 Dated: April 1, 2014

Respectfully submitted:

8 **QUINN EMANUEL URQUHART &**

9 **SULLIVAN, LLP**

JAMES R. ASPERGER

10 KEVIN P.B. JOHNSON

11 Ray R. Zado

12 By: /s/ Kevin P.B. Johnson

13 Attorneys for Plaintiff BLACKBERRY LIMITED

[PROPOSED] ORDER

Having considered the foregoing stipulation between Plaintiff BlackBerry Limited (“BlackBerry”) and Defendant Typo Products, LLC (“Typo”), and for good cause shown,

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that BlackBerry shall file its opposition to Typo’s Motion To Stay And Suspend The March 28, 2014 Preliminary Injunction Pending Appeal Or, Alternatively, Pending Decision By Federal Circuit On Stay Pending Appeal (“Motion”) on or before April 4, 2014, and that Typo shall not file a reply to BlackBerry’s opposition. The Court shall hear argument on the Motion on April 9, 2004, at 2:00 p.m.

Dated: _____

THE HONORABLE WILLIAM H. ORRICK
UNITED STATES DISTRICT JUDGE